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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/628,153

07/28/2003

Christian Bonnet

Serie 6034

4378

7590
Linda K. Russell
Air Liquide
Suite 1800
2700 Post Oak Blvd.
Houston, TX 77056

10/28/2009

EXAMINER

ELVE, MARIA ALEXANDRA

ART UNIT

PAPER NUMBER

3742

MAIL DATE

DELIVERY MODE

10/28/2009

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte: CHRISTIAN BONNET, JEAN-MARIE FORTAIN and MARC
WAGNER

Application No. 10/628,153
Technology Center 3700

Mailed: October 28, 2009

Before MARIA VIGNONE, *Supervisory Trial Clerk*

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on September 21, 2009. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter(s) requiring attention prior to docketing.

EXAMINER'S CONSIDERATION OF REPLY BRIEF

A Reply Brief was filed in this application on November 30, 2007. There is no evidence on the record indicating that the Examiner has considered the Reply Brief in accordance with 37 C.F.R. § 41.43(a)(1) and MPEP § 1208, part II.

CONCLUSION

Accordingly, it is

ORDERED that the application is returned to the Examiner to:

- 1) to consider the Reply Brief filed November 30, 2007 as indicated above; and
- 2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

MV/nhl

Linda K. Russell
Air Liquide
Suite 1800
2700 Post Oak Blvd.
Houston TX 77056